

REMARKS

The present amendment is submitted in an earnest effort to advance this case to issue without delay.

1. With respect to the PTOL-326 form, Applicants note that line 5 has been filled in to suggest that claims 9 - 14 have been allowed, although the box has not been checked. The priority claim acknowledgment in paragraph 12 is appreciated.

2. There is enclosed a formal drawing together with a letter to the Official Draftsman requesting its approval by the Official Draftsman. The formal drawing corresponds to the PCT drawing.

3. A substitute specification replacing the previous substitute specification is submitted and replaces the term "cuvette" by the term -- crucible -- as the Examiner has suggested.

A reference to claim 1 in the body of the application has been removed.

The substitute specification does not contain any new matter.

A marked up version showing changes made is enclosed.

4. The claims have been amended to eliminate the informalities noted by the Examiner.

Firstly, the term "cuvette" has been replaced by -- crucible-- and the typographical error in claim 18 has been corrected. Reference numerals have been removed (see paragraph 4 of page 3 of the Office Action).

All of the claims are specific to an induction heating source (see paragraph 6 of page 3 of the Office Action). In claim 9 it has been pointed out that CO or CO₂ is produced by the reaction of oxygen from the solids with carbon of the crucible. That should remove the objection to claim 11.

With respect to claim 13 note that the solids together with the crucible containing them are replaced.

All kinds of vacuum tight containers allow access to insert or replace elements. That does not render them inoperative.

With respect to claim 14, please note that the crucible has a cavity at a lower end to receive the rod (see FIG. 1).

Claim 18 intentionally does not define the relationship between the induction coil and the cooling jacket since that is irrelevant. As the Examiner can appreciate the coil can be within

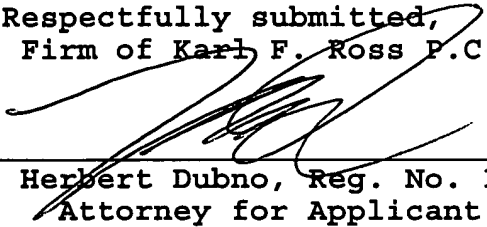
the cooling jacket, outside the cooling jacket or even in a space between the quartz housing and the cooling jacket. The gases have been clarified in claim 18.

Withdrawal of the rejection under 35 USC 112 is requested.

5. The rejection of claims on ATKINSON is not understood. United States Patent 1,052,907 appears to have issued to a FERGUSSON. The undersigned has been unable to find any ATKINSON reference which is applicable. The FERGUSSON reference deals with a toy. If ATKINSON discloses what the Examiner indicates, it fails to suggest the heating of a solid to effect reaction of the oxygen from the solid with carbon of the crucible. It appears that the reaction does require melting. The GLAVIN et al reference describes degassing but does not describe, as far as Applicants can see, a reaction of oxygen from solids in the crucible with carbon from the crucible. The rejection of claims on art, therefore, cannot stand.

Claims 9 to 14 and 18 ought to be considered to be allowable and an early notice to that effect is earnestly solicited.

Respectfully submitted,
The Firm of Karl F. Ross P.C.



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Enc: Substitute Specification
Marked up copy of Specification
Letter to the Official Draftsman with
Formal Drawing
Copy of FERGUSSON Reference

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